

### REMARKS

Claims 1, 4-6, 9-11, 13-23, and 26-34 are pending. Claims 1, 6, 11, 17, 23, 28, 29, and 32-34 have been amended and claims 2, 3, 7, 8, 12, 24, and 25 have been canceled.

In the Office Action, claims 1, 4, 5, 23, 26-28, and 30-32 were rejected under 35 USC § 103(a) for being obvious in view of a Sellin-Classon combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

Claim 1 recites that the CRC code has a predetermined bit pattern “which causes the downlink section to exclude the data block from being used as a basis for performing a downlink power control operation based on the predetermined bit pattern of the CRC code.” These features are not taught or suggested by the Sellin patent. The newly cited Classon patent also fails to teach or suggest these features.

In referring to the downlink power control operation of claim 1, the relied on column 5, lines 5-9, of the Classon patent. Here, Classon discloses muting the amplitude (e.g., volume) of a received speech signal. The muting operation is performed based on the value of a parameter R. However, this parameter does not correspond to a predetermined bit pattern in a CRC code included in a received error data block. Rather, R is a reliability factor generated based on a combination of weighting factors and reliability functions or vectors. None of these values correspond to a predetermined bit pattern in a CRC code included with a received data error block. Thus, the muting operation is not performed on the specific type of bits recited in claim 1.

Moreover, the muting operation performed by Classon is not properly equated with the downlink power control operation recited in claim 1. That is, claim 1 requires controlling the power of a downlink section of a receiver in a communication system. The power of the downlink ordinarily could be performed based on the data error block, if it were not for the CRC code included in this block. However, the CRC code (and the predetermined bits contained therein) serve as control information for actively preventing the downlink section from controlling the power of the downlink section based on the predetermined bit pattern in the CRC code. Classon does not teach or suggest these features.

Rather, Classon merely mutes a received sound (speech) signal in its received data, which is unrelated to how the downlink section of its receiver is powered. That is, Classon adjusts the manner in which a received speech signal is output to a user, but does not prevent a power control operation of a downlink section from being performed based on CRC bits in a received data error block.

Based on these differences, it is respectfully submitted that claim 1 and its dependent claims are allowable over a Sellin-Classon combination.

Claims 23 and 32 recites features similar to those which patentably distinguish claim 1 from a Sellin-Classon combination. Furtherance of claims 23, 32, and their dependent claims to allowance is respectfully requested.

Claims 6, 9, 10, and 33 were rejected under 35 USC § 103(a) for being obvious in view of a Sellin-Ohmi-Suma-Classson combination. Claim 6 recites features similar to those which patentably distinguish claim 1 from a Sellin-Classson combination. The Ohmi and Suma references does not teach or suggest these features. Applicants therefore submit that claim 6 and its dependent claims are allowable. Claim 33 is allowable over the cited combination for similar reasons.

Claims 11, 13-22, 29, and 34 were rejected under 35 USC § 103(a) for being obvious in view of a Sellin-Suma-Classson combination. Applicants request the Examiner to withdraw this rejection for the following reasons.

Claim 11 recites that the CRC code has a predetermined bit pattern which causes the downlink section to exclude the data block from being used as a basis for performing a downlink power control operation based on the predetermined bit pattern of the CRC code. As indicated above, Classson does not teach or suggest these features, and neither does Sellin or Suma. Accordingly, it is submitted that claim 11 and its dependent claims are in condition for allowance.

Claim 17 recites (b) blocking transmission of the data error block without inserting a substitute data block for the error data block. The Sellin patent does not teach or suggest these features. At column 5, lines 28-36, Sellin discloses replacing an error data block with another block, i.e., the previous block that did not have errors:

Instead, the MSC uplink error detector and handler 219 controls the buffer 221 so that the speech parameters from the previous block will again be presented to the input of the speech codec 211. Thus, the block containing errors is discarded, and replaced by the most recent block that was received without errors.

Thus, Sellin does not teach or suggest step (b) of claim 17 which requires blocking and not replacing the error data block during transmission to a receiver.

Blocking and not replacing transmission of the error data block translates into additional differences. For example, it is the blocking of this error data block without replacement that allows the receiver to, in (c), determine that the data error block has not been timely received based on an undetected transmission sequence number corresponding to the data error block. Sellin does not teach or suggest these features, and neither does Classon.

That is, Classon merely discloses not declaring a data error block that has already been received in a receiver. (See column 7, lines 9-12). In contrast, the claimed invention never even transmits the error data block to thereby allow step (c) to be performed.

Based on these differences, it is respectfully submitted that claim 17 and its dependent claims are allowable over the cited combination.

Claim 34 recites features similar to those which patentably distinguish claim 1 from the cited references. Allowance of claim 34 is therefore respectfully requested.

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In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and timely allowance of the application is respectfully requested.

To the extent necessary, a petition for an extension of time under 37 CFR § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,  
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